

RECORDATION NO 20713-A

JUN 06 '08 -1 00 PM

SURFACE TRANSPORTATION BOARD

ALVORD AND ALVORD:  
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ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

OF COUNSEL  
URBAN A. LESTER

June 9, 2008

Ms. Anne K. Quinlan, Esq.  
Acting Secretary  
Surface Transportation Board  
Washington, D.C. 20423

Dear Ms. Quinlan:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Notice of Lease Termination, dated as of June 6, 2008, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document is a complete release and relates to the Memorandum of Lease previously filed with the Board under Recordation Number 20713.

The name and address of the party to the enclosed document are:

Lessor: General Electric Capital Corporation  
201 High Ridge Road  
Stamford, CT 06905

[Lessee: Southdown, Inc.  
1200 Smith Street, Suite 2400  
Houston TX 77002]

Ms. Anne K. Quinlan, Esq.  
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A description of the railroad equipment covered by the enclosed document is:

20 covered hopper railcars: SDWX 9900 - SDWX 9919.

A short summary of the document to appear in the index is:

Notice of Lease Termination.

Also enclosed is a check in the amount of \$35.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alvord", followed by a long horizontal line.

Robert W. Alvord

RWA/sem  
Enclosures

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-1 00 PM

**NOTICE OF LEASE TERMINATION****SURFACE TRANSPORTATION BOARD**

General Electric Capital Corporation, Lessor, does hereby give notice that the Memorandum of Lease Agreement dated as of June 9, 1997, as subsequently amended or supplemented (collectively, the "Lease") with Southdown, Inc., Lessee, has been terminated as to all railroad equipment leased thereunder: 20 covered hopper cars, marked and numbered SDWX 9900 - SDWX 9919 inclusive.

The Lease was originally filed with the Surface Transportation Board (the "Board") on June 10, 1997 at 3:39 p.m. under Recordation Number 20713.

This Termination of Lease shall not impair or terminate the rights and obligations of the parties under the Lease which expressly survive its termination.

Dated this 6<sup>th</sup> day of June, 2008.

GENERAL ELECTRIC CAPITAL CORPORATION,  
LESSOR

By:

Title:

Sr. Account Mgr.

STATE OF Connecticut )  
 ) ss:  
COUNTY OF Fairfield )

On this 6<sup>th</sup> day of June, 2008, before me personally appeared Mark Michener, to me personally known, who, being by me duly sworn, did say that he/she is Sr. Account Manager of GENERAL ELECTRIC CAPITAL CORPORATION, that he/she is authorized to execute the foregoing instrument on behalf of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he/she acknowledged that the execution of foregoing instrument was the free act and deed of the corporation.

Oneida A. Rodriguez  
NOTARY PUBLIC

My commission expires:

**ONEIDA A. RODRIGUEZ**  
**NOTARY PUBLIC**  
**MY COMMISSION EXPIRES MAR. 31, 2013**

CERTIFICATION

I, Robert W. Alvord, attorney licensed to practice in the State of New York and the District of Columbia, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document.

Dated: \_\_\_\_\_

6/9/08



\_\_\_\_\_  
Robert W. Alvord